\$10,000,000 SUIT OF **GUGGENHEIM STARTS**

Five Brothers Try Vainly to Postpone Trial of William's Action.

five brothers induced William to sign some time after July 1. over to them his rights in the Chuquickamana Prospect, a copper mine in

the jury was quickly selected. The defence's other lawyers are Dis-

trict Attorney Lewis J. Smith, Charles

the defendants had not then concluded his opening address.

Stephen C. Baldwin, in opening, said that the five brothers had virtually "chloroformed" William when they made deals relating to the properties of the Guggenheim firm. He told how the family, at first manufacturers of embroideries, finally got into the smelting business. William studied mineralogy at the University of Pennsylvania, he said, and became an expert. The other backbars were financiers. William was marked that possibly it was more profitmarked that possibly it was more profitmarked.

at the University of Pennsylvania, he said, and became an expert. The other brothers were financiers. William was sent into Mexico, where he made the Guggenheim interests pay.

After nine years of this service William returned to New York, said Mr. Baldwin. There was no place for him with the Guggenheim firm, so he entered the stock market. He paid little attention to the firm's business, did not participate in all the enterprises of his brothers, but at the same time as a member of the said whether the Comptroller was a lawyer. When told he was not, the Senator remarked that possibly it was more profit, able to be a financier than a lawyer. Whereupon Mr. Moss inquired: "You have more now than when you started out as Comptroller, haven't you?" "No," replied Mr. Prendergast. "I have no more. But now that you have started out on the most interesting part of your examination, why not go on?" brothers, but at the same time as a member of the firm he was responsible for a share of the losses. Whenever the brothers would want a waiver, said Mr. Baldwin, William would sign it. Once when William objected and said it was an outrage one of the brothers said:

Mr. Baldwin said he will also pixt that William was inexperienced in business matters and that the brothers took to a cross-examination of the Comptess matters and that the brothers took troller on his 10,000 word resume of troller on his 20,000 will be asked.

waived participation in profits that might all the contain accrue from ventures and operation of dergast said "yes" to that and to the certain mining properties they had agreed to acquire. These properties, he had not practically benefitted the B. R. now alleges, are worth \$50.600.000; at T. He also stated that one of the time the agreement was executed reasons why he had chansed his vote on William, according to his lawyer, was without knowledge that the five brothers and made extensive surveys and explorafraudulently and wrongfully concealed the great worth of the mines from him.

Counsel for the defendants said that tions of these mines and that they William had been taken in on several deals by his brothers. When the firm but when the firm won he shared the winnings. On one occasion William's

PLEA FOR 9 IN FLAG BURNING. Man Said to Have Set Match Is Not

The case will continue to-morrow.

tion appeared in the Court of Special Sessions yeaterday to answer a charge of Sessions yeaterday to answer a charge of July 2. The idea is to reduce the number of descerating an American flag, before July 2. The idea is to reduce the number of desceration of which Chief Magistrate McAdos in the Cutty is public baths as community of the city of which Chief Magistrate McAdos into of which Chief Magistrate McAd

A meeting of representatives of all hold a 'splash week.'

reparedness organizations in the coun-

"In view of the danger that the penalty of unpreparedness will be immediately paid in more American lives and blood, you are invited to attend a conference of defence and patriotic bodies to be held at the Lawyers Club at 1 P. M. Tuesday, June 27."

It is signed by Robert Bacon, president; S. Stanwood Menken, vice-president, and Herbert Barey. "Wednesday, July 5, will be School Day; Thursday, Life Savers Day; Friday, Learn to Swim Day, and Saturday, Recreation Day."

OPPENHEIM JUROR EXCUSED.

PRENDERGAST, ANGRY, RAPS THOMPSON'S SLUR ON MAYOR

Comptroller Sets Committee's Record Straight in Reference to Insinuations Hinted At by Chairman-B. R. T. Prior Determinations Up To-day.

Mineola, L. L. June 20.—In spite of 1, he would probably ask Henry P. a strong attempt by the defence to have Davison of the firm of J. P. Morgan & second more acceptable. a postponement the \$10,000,000 suit of Co. to appear before the committee after William Guggenheim against his five that date. The Senator expected to have brothers went to trial here this morning before, Surgeme Court Justice Cal. ing before. Supreme Court Justice Calthe expiration of the committee's official laghan and a jury.

Was different from the way upon the subject." The defendants are Isaac, Daniel, Mor- Davison was on vacation in Canada, not ris, Solomon and Simon Guggenheim and having been notified that the committee ris, Solomon and Simon Guggenheim and having been notified that the committee the suit is based on allegations that the wanted him, and would not return until Comptroller, turning on the chairman, George W. Wickersham, J. five brothers induced William to sign some time after July 1. "that I thought Mr. Mitchel was ac- Choate and Oscar S. Straus.

Chile, which later proved to be im-letter which Theodore P. Shonts, presi-dent of the Interborough, sent to him mensely valuable. William alleges that dent of the Interborough, sent to him advising him that their "mutual friend" the five knew the value of the mine, but thought the time about ripe for the Interthat it was represented to him that the borough to make another subway offer.

mine was of far less value.

William D. Guthrie and Samuel UnGardinei M. Lane and William A. termyer of counsel for the defendants Read. Interborough directors, about the urged on the court that two of their imstructions are in South America mitents and obligations." Nor did he portant witnesses are in South America and cannot reach here before the end of the month. Their defence would be Mr Davison for enlightenment. Perley materially weakened by the absence of these witnesses, they said. Justice Calframe a list of questions to be sent to laghan refused to postpone the case and mr. Davison and the latter's reappearance will depend on the answers. ance will depend on the answers.

N. Wysong, former District Attorney, day yesterday to an endeavor to find a and George Morton Levy. Smith and vulnerable spot in Comptroller Prendergast's history of his relations to the of Mrs. Florence Carman. William Guggenheim is represented by Stephen C. a series of entertaining clashes between Baldwin, Henry Uterhart and John J. the Comptroller and Senator Thompson and the committee's counsal Frank Man. n which Mr. Prendergast aired without Journment was taken and counsel for reserve his opinions of the investigating the defendants had not then concluded committee. Just before the close of the

Willing to Open Personal Books.

"Absolutely, I am ready to open my "That's all right. If you do anything bersonal books to Mr. Perley Morse at any time and he can report to your the Street will notice you."

Mr. Baldwin said he will also prove that William was inexpensed to have

ness matters and that the brothers took troiler on his 10,000 word resume of advantage of that fact.

Mr. Baldwin repeated the allegation in the complaint that on January 4, 1912, the witness whether the East River William at the solicitation of his brothers bridges had not been built at a cost executed an agreement by which he waived participation in profits that might tri-borough transit system. Mr. Prenaccrue from ventures and operation of dergast said "yes" to that and to the next question, whether these bridges are the winner properties they had

ASKS SHARE OF BIG MINE day afternoon that although he intended to the Legislature to obey the mandate of the Legislature to the Interborough and the final preferential arranged, 8.76 per cent.; but

Sava Mayor Is Upright.

Mr. Davison's testimony is sought on "commitments and obligations" and on a letter which Theodore P. Shouts, presi-

Now you can answer the or decline to answer."

"I have told you," retorted the witness after a long pause, "that I would not pay the slightest attention to your question." Whereupon Senator Thompson learned of the scheming which resulted in the appointment of Mr. Strong. The Governor was asked by Mr. Folks both for the commissioner of the commissioner was an Albany

no doubt about it."

Comptroller Prendergast declared that he had no applogies to offer for his change of vote on the subway propositions. He pointed to his reelection as Comptroller as justification from the people for his attitude. He expressed his willingness to submit the issues to their judgment any time." He was any of our institutions inspected or investigated by the lawful authorities, civic or State. On the contrary we have

The witness was highly complimentary to George McAneny and refused to acquiesce in the theory of Mr. Moss that while Mayor Gaynor was a friend of the Interborough, Mr. McAneny befriended the B.R. T. Mr. Prendergast said he did not believe in the tidea of putting a city official on a public service corporation board because, he said, the Public Service Commission's duties, if properly witnesses before Commissioner Strong.

ROFRANO REINDICTED

Bill Coupling Him With

Joseph Brondini.

Michael A. Rofrano, a fugitive for

BE ONE LONG SPLASH

Borough President Hopes Will Be Arraigned To-day on New Yorkers Who Can't Swim Will Learn.

Judge Freschi decided that Mr. Ray-in the waters surcounding the greater Judge Freschi decided that Mr. Kay-mond must submit a brief and fixed June 25 as the day that the motion will be ruled on in chambers. No date has been set for the trial. The defendants are of deaths on our streets and highways. TO DISCUSS PREPAREDNESS.

Meeting of Defence Organization

Representatives Called. themselves of them we have decided to

preparedness organizations in the country to discuss "the failure of Congress to provide for adequate national defence and to institute a campaign for universal military service" has been called by the National Security League and will be held at the Lawyers Club on Tuesday. June 27, it was announced last night. The invitation says:

"In view of the danger that the penture of the property of the danger that the penture of the property of the danger that the penture of the property of the danger that the penture of the property of the danger that the penture of the property of the danger that the penture of the property of the danger that the penture of the property of the danger that the penture of the property of the danger that the penture of the property of the danger that the penture of the property of the property

Assumes Writer of Letter Change From Square Inch Ex-Lieutenant-Governor Says Signed by Noted Citizens Was Misled or Deceived.

REVIEWS STRONG INQUIRY MATERIALS' COST FACTOR SISTER IS A WITNESS

Price Advances.

Girl Have No Bearing on

Murder Charge.

Youker, the other girl, will be

Aldermen of Irish extraction

sympathy opposed in the board yester-

New York diocese of the Roman Cath-olic Church, made public last night a pamphlet of six pages addressed "To the pamphlet of six pages addressed "To the light members of the Photo Engravers Noted Citizens Who Back the Mayor." Board of Trade were indicated. All will it is his reply to the letter indorsing the that was published on Monday, signed by forty men, including E. H. Gary, George W. Wickersham, Joseph H. Walker, treasurer: Arthur W. Morley, Ir. president. Mayor's course in the charities inquiry Thoate and Oscar S. Straus.

In his pamphlet Mgr. Dunn says the Jr., president; George M. Gill, Charles E. Sherman, Theodore Stendel and Adolph Scheutz, directors, and M. J. Col-

tives. He may have been mistaken, but his action was conscientious, sincere and honest."

"That isn't the way your testimony struck me," remarked the Senator.

"I care not how it struck you, sir," Mr. Prendergast snapped back at him, and then turned his face toward the point:

"I care not how it struck you assumes that the writer of the letter was misled or deceived, and adds on this point:

"George Login Scheutz, directors, and M. J. Collega, chairman of the scale committee. It is alleged that members of the board met last March and agreed on prices materially affecting magazine and book publishers. The Trade Press Association complishers from 30 to 200 per cent.

George Logic Scheutz, directors, and M. J. Collega, chairman of the scale committee. It is alleged that members of the board met last March and agreed on prices materially affecting magazine and book publishers. The Trade Press Association complishers.

Mr. Prendergast enapped back at him, and then turned his face toward the window. "It is not the slightest concern to me how anything strikes you. Mr. Thompson, or any one connected with the committee."

"I ask you," continued the chairman, "did you mean to insinuate that Mayor Mitchel felt differently about the new subway from what his record appears? Now you can answer that 'yes' or 'no' or decline to answer."

missed or deceived, and adds on this point.

"We feel sure that if you had followed the course of the Strong commission and the city authorities and their unheard of and indefensible procedure you would not have lent your names to this publication, which not only broadly conveys a false impression, but is a direct and final criticism of ourselves and is as unjust and undeserved as much that has gone before it."

with Mr. Folks, and on the evening of that same day I am told Mr. Folks was in company with Mr. Strong in Albany. Here we have the entire organization to greenee tells him he is in an unpleasant position tries to carry it off by a show of bravery and unconcern."

"I have been in public life too long." remarked the Comptroller, "to pay attention to such remarks, especially from men like you, Mr. Moss." And when the counsel said the witness was "trying to get away with the record." Mr. Prendergast added: "I will. There will be no doubt about it."

Comptroller Prendergast declared that he had no analogical and the witness was in Albany, was in Albany in company with Mr. Strong in Albany. Here we have the entire organization to investigate the State board created by the representative of the city government and his sponsor. Had we known this at the beginning we do not hesitate to the comptroller, "to pay attention to such remarks, especially from men like you, Mr. Moss." And when the counsel said the witness was 'trying to get away with the record." Mr. Prendergast added: "I will. There will be no doubt about it."

Comptroller Prendergast declared that he had no analogical and the witness was "Trying to get away with the record." Mr. Prendergast added: "I will. There will be he had no analogical and the witness was "Trying to get away with the record." Mr. Prendergast added: "I will. There will be he had no analogical and the witness was "Trying to get away with the record." Mr. Prendergast added: "I will. There will be he had no analogical and the witness was "Trying to get away with the record." Mr. Prendergast added: "I will. There will be he had no analogical and the witness was in Albany, and told Mr. Folks was not down the special and on the evening of the etering to the cost of production it makes on t

ms witingness to submit the issues to any of our institutions inspected or interrupted any time.

"I am ready for a fight any time." as any time." Senator Thompson was puzzled about that election. "This is only a process of education," remarked the witness, then explaining the last municipal campaign issues.

The witness was highly complimentary to George McAneny and refused to account sixtension. The witness was highly complimentary to George McAneny and refused to account sixtension. The witness was highly complimentary to George McAneny and refused to account sixtension.

Service Commission's duties, if properly witnesses before Commissioner Strong.

performed, would take care of the city by Mr. Kingbury and by the Mayor interest.

When he accused the church the other to-day in response to a subpena to He did not know about a letter which day of conspiring to take possession of

that the "prior determination" accounts which he examined did not include any if true thut you must remember that bonuses.

The committee goes on this married that the "prior determination" accounts they have been changed, modified, mini-Chief of Police McGuire of Lake Formalized, vamped and revamped almost daily for some time past), and his carefully manufactured phonograms and hearsay evidence in general are all in the hands of the officers of the law would it not be the part of good citizenship to wait until the courts decide before taking a stand? • • Finally, we invite you gentlemen to appoint a committee to inspect our institutions at any time convenient to yourselves."

Chief of Police McGuire of Lake Formembers of the Legislature served notice members of the Legislature served notice of their intention to fight any reapportance in the present action was brought by William A McQuaid and is based on declarations by Robert E. Dowling, John J. Hopper, Lawrence was held up by the City Commissioner was brought to build its large terminal chief McGuire, covered an identification of the allow letter mailed to Marian any time convenient to yourselves."

District Attorney Swann said yester-ON MURDER CHARGE

Thomas F. Foley, Tammany leader of the Second Assembly district. Monti-Another defendant who admitted later s connection with the murder condracy was Frank Fennimor. He was in Nation's Defence. day a resolution providing for an Irish tag day to raise funds to be used for the relief of Irish sufferers in the recent Will Reach at Least spiracy was Frank Fennimor. He was about to go to trial when he made a He was in Nation's Defence.

about to go to trial when he made a complete confession and on his story Rofrano was indicted. Rofrano made his escape at that time and only surrendered a month ago.

Brondini is accused of having been in on every step of the conspiracy that was hatched many months before the killing took place. At the trial of Monting took place, at the trial of Monting took place. At the trial of Monting took place, at the defendence of the declared against the resolution will be reconsidered next Tuesday.

The Allied Bazaar ends to-night in a blaze of glory, with the cause of the wounded solders \$1,500,000.

The defendence the trial of Monting took place, at the trial of Monting took place, at the declared against the resolution will be reconsidered next

who were alleged to have been interested in having Gaimari removed.

sword CANE ATTACK CHARGED.

SWORD CANE ATTACK CHARGED.

MGR. DUNN ANSWERS 8 PHOTOENGRAYERS TANZER DEFENCE IS BACKERS OF MAYOR INDICTED AS TRUST OPENED BY CHANLER

Girl Was Hounded in Name Billing Method Results in of the Law.

The defence of Rae Tanzer, on trial for perjury in having identified James W. Osborne as Oliver Osborne, was begun yesterday in the United States District Court before Judge Wolverton. be paroled when they appea. to-day in General Sessions. Ex-Lieut.-Gov. Lewis Stuyvesant Chanler addressed the jury and Dora Tanzer, one of Rae's sisters, was a witness.

Mr. Chanler said the defence would show by the testimony of experts that the letter ascribed to Oliver Osborne berg, former attorney for Rae Tanzer, had told her that United States Attor-ney Marshall was not going to let any harm befall James W. Osborne, his friend, and that Mr. Marshall had the power of the Government back of him. Mr. Chanler said that this was one reason why Rae Tanzer so changed her testimony that she was indicted for George Lokes, secretary of the board.

and W. K. Palmer, secretary to the directors, were examined before the Grand Jury and escaped indictment. A Grand Jury into the subject will be she went." Mr. Chanler said the reason why Rae Tanzer so changed her testimony that she was indicted for perjury.

"Miss Tanzer was hounded wherever she went." Mr. Chanler declared. "The she went." Mr. Chanler declared.

Grand Jury and escaped indictment. A further inquiry into the subject will be made by the Grand Jury, and it is possible more indictments will be filed.

The law provides a year's imprisonThe law provides a y

The law provides a year's imprisonment on conviction and a fine of up to \$5,000.

In a statement issued yesterday by the board of trade this explanation is given:
"The substitution of a standard scale for the square inch billing method and the fact that its use carries with it an increase in price on part of the product and a reduction in price on a part of the product is due to the fact that being based on the cost of production it makes the price accordingly, and thus shows up the glaring errors of the square inch

jamin Slade,
"That's the man," she answered.
Rae's sister gave essentially the same

testimony that she had given before at the earlier stages of the case. She confessed that she had got a date in Waukegan, Ill. June 20 — Most of November wrong and had mixed up the love letters of Will. H. Orpet to Marian Lambert will probably be expected that she had said to her sister Rae, when looking at James W. Osborne between the fury hearing the eviore United States Commissioner House. dence against the former University of | ton

ELON R. BROWN TO ASSIST.

ing on the crime charged," said Judge Donnelly, "and show only the relations Donnelly, "and show only the control of the two principals. I would like to keep the letters from the jury in order to insure a fair trial."

Miss Youker appeared in Waukegan

ALEANY, June 26.—Senator Eion is Brown of Watertown, Republican leader in the Senate, has been designated by Attorney-General Woodbury to assist Miss Youker appeared in Waukegan to-day in response to a subpean to ap-pear and tell of her acquaintance with Mr. Moss read to indicate that the Pennsylvania Railroad and Mayor Gaynor were working in harmony a year before the Pennsylvania appeared, and he said the Pennsylvania appeared to take possession of the Pennsylvania appeared the city government. He later narrowed the later narrowed this down to 'a few priests' and his 'coreligionists.''

Mgr. Dunn also says: "Since these later of the Lambert tragedy.

Miss Youker's letters were impounded ing the reapportionment appeared in the city government. He later narrowed the constitution in New York to look to 'coreligionists.''

Mgr. Dunn also says: "Since these later of the Lambert tragedy.

Miss Youker's letters were impounded ing the reapportionment appeared in New York to look to 'coreligionists.''

Mgr. Dunn also says: "Since these later narrowed the later narrowed

"I asked him if he was guilty," said LAUNCH RUN DOWN-2 DROWN, a syndicate.

Madison, Wis, testified.

"I called Orpet up and asked him if he had heard anything about Marian Lambetween Mariners Harbo Included in Motion.

The members of the Rev. Bouck White's Church of the Social Revolution appeared in the Court of Special Sessions yesterday to answer a charge of July 3. The idea is to reduce the num
Tincluded in Motion.

"Splash Week!"

Michael A. Rofrano, a fugitive for has a fugitive for had heard anything about Marian Lamberts dearled his albit to me had heard anything about Marian Lamberts death. He detailed his albit to me had now and asked him if he had now and and asked him if he had now and several months after his indictment for discharge passengers on the 20 and asked him if he had now and an everal months after his indictment for had now and suggested the deal on the her shears and sheets. Had now and asked him if he had now and sheets as following terms:

That the name of the live and anything about Marian Lamberts death. He detailed his albit to me her shears and sheets of the Name and asked him if he had now and sheets death. He detailed his albit to me her shears and sheets of the Name and asked him if he had now and sheet and anything about Marian Lamberts death. He detailed his albit to me her shears and asked him if he had now and sheets death. He detailed his albit to me her shears and asked him if he had now and aske

Will Reach at Least

The directors, Waldemar de Bille and George Hough Perry, say the exact re eints will not be known for several shown an inclination to return to work. weeks, but it is certain that since the and none will until the employers adop doors opened June 3 the mark set then, a more reasonable attitude."

\$1,000,000, has been exceeded by more Members of the union who had ac

of infinition a commands for our part in the part in t

TODAY

Manamakis

The Annual June Sale of Men's Suits

1,855 Suits at \$23.50 \$30 to \$40 grades.

1,245 Suits at \$18.50 \$22.50 to \$28.50 grades.

631 Suits at \$15.50 \$18.50 to \$21.50 grades.

Broadway, Eighth and Ninth Street, New York

436 Suits at \$13.50

\$16.50 and \$17.50 grades.

SYNDICATE BIDS FOR JERSEY WATERFRONT

Greenville Streets.

committee to inspect our institutions at any time convenient to yourselves."

District Attorney Swann said yesterday that he was not ready to investigate the charges that crime had been committed in tapping of telephone wires and others. "I asked him if he was guilty" said.

Lambert Marian through the distributions at the commission of the alibi letter mailed to Marian Lambert by Otto Peterson, a college thum in Madison, and a statement that the scratches on the girl's face came declared void is set before the Court of Appeals on Friday.

"Unless the May r interv. Commissioner Henry Byrne by Edward will be foisted upon the city tionable contract and objection the scratches on the girl's face came from the brush the two walked through the work and other will be formed any surface and Navigation, representing a syndicate.

"Unless the May r interv. Commissioner Henry Byrne by Edward A. Ransom, Jr., secretary of the New Jersey Harbor Commission previous to its reorganization as the State Board of Commerce and Navigation, representing a syndicate."

"Unless the May r interv. Commissioner Henry Byrne by Edward A. Ransom, Jr., secretary of the New Jersey Harbor Commission previous to its reorganization as the State Board of Commerce and Navigation, representing a syndicate."

of priests and others. He has not discussed the matter with Judge Crain of the officer, "and he replied I am innocent, and when the time comes I can up the inquiry if all the persons affected are satisfied with him.

The new plan suggests that Jersey the new plan suggests that Jersey the officer, and when the time comes I can prove it."

The new plan suggests that Jersey construct sought by the Lehigh Valley, construct sought by the Lehigh Valley, construct plers and lease to the syndicate upon the suggests that Jersey the new plan suggests tha The new plan suggests that Jersey | Far Side Stop for Buses

Frederick Rodd and Frederick Web- by the city for the first five years of its

STRIKE INTIMIDATION DENIED. Generous Contributions Made to Ald Needy Unionists. President Schlessinger of the Inter-

national Garment Workers Union

been intimidating workers who have at-"There is not the slightest ground or the statement that thousands of

OBJECTS TO TAVERN IN PARK. Allen Wants Mayor to Block Ward's McGowan Pass Scheme.

William H. Allen, director of the l to Mayor Mitchel yesterday protestic against the proposal to improve old M Gowan's Pass Tavern in Central Par

The Board of Alderen



Money can't buy better woolens!

Nor finer silk linings! We use the best.

A few high priced tailors offer similar advantages, but how they do rub it in! Our buying is done on so

large a scale that there's a substantial saving even before we begin to manufac-

Not a cent charged for

We don't make to measure but we do make to fit.

Two-piece and three-piece ROGERS PEET COMPANY

Bro dwa Four

Corners"

1 11 1 54